

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0702/P1dn
CMH:lmk:jf

December 19, 2006

Jonna:

Please review the effective date provision. I made the act effective on the first day of the sixth month beginning after publication to give DOT time to create the license plates and the persons subject to the license plate requirement and prohibition time to acquire them. Is that time frame okay?

This bill has a retroactive application. It applies to all persons registered as sex offenders if a serious child sex offense is the basis for the registration requirement and to all persons on supervised release. This is different than the GPS tracking requirement in s. 301.48, which, except for persons covered under s. 301.48 (2) (c), the event that triggers the GPS requirement has to occur on or after July 1, 2007. I am noting this only because I want to make sure that this is what you intend. The retroactive application may increase the fiscal estimate since the requirement will apply to more people and DOC and DHFS will have to notify more people.

Note that I reconciled Acts 430, 431, and 437 in this bill. I did this to clarify definitions and cross-references. Otherwise this bill would be a great deal longer and more confusing right now; also, once those Acts were reconciled the language incorporating the current statutes would be superfluous. OK? If those acts are reconciled before you introduce this bill, then I can redraft this bill to eliminate the reconciliation provisions. If this bill is already introduced, the reconciliation provisions will not have any effect.

Please review the penalty provisions. You asked for a maximum imprisonment sentence of 10 years. So I made the violations Class G and Class H felonies. Please be aware that these are bifurcated sentences so that the 10 year maximum includes a term of confinement and a term of extended supervision.

I made this draft a preliminary draft because I anticipate that you may want changes. It will have to be redrafted before it can be introduced.

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